

**MINUTES OF THE
RURAL HEALTH ADVISORY COMMISSION**

Friday, February 24, 2006

Nebraska State Office Building
6th Floor, Conference Room 6-Z
Lincoln, Nebraska

Members Present: Dennis Berens (designee for Nancy Montanez, HHS Services Director); Angela Brennan, M.D.; Bill Brush; Steve Dokken, D.D.S.; Marty Fattig; Don Frey, M.D.; Pam List, A.R.N.P.; Michele Mulligan-Witt, M.D.; Joann Schaefer, M.D.; Rebecca Schroeder, Ph.D.; Roger Wells, PA-C

Members Absent: Mike Sitorius, M.D.; Bill Welch

Guests Present: David Brown, D.D.S., UNMC/College of Dentistry; Jacquelyn Miller, D.D.S., HHS Regulation and Licensure, Deputy Director, Health Services (designee for Dr. Joann Schaefer when Dr. Schaefer had to leave early)

Office of Rural Health Staff Present: Marlene Janssen, Tom Rauner, Deb Stoltenberg

1. Call Meeting to Order; Adopt Agenda; Approve Minutes of November 18, 2005, Meeting; Introduce Members and Guests

Chairman, Dr. Don Frey, called the meeting to order at 1:40 p.m. Commission members, guests, and staff introduced themselves. The agenda was adopted on motion of Marty Fattig and seconded by Pam List. Carried. YES: Dokken, List, Brennan, Berens, Fattig, Mulligan-Witt, Schroeder, Schaefer, Wells NO: None ABSENT: Brush, Sitorius, Welch

Dr. Angela Brennan stated there is an error on the November 18, 2005 meeting minutes on Item #1 under the heading, it reads "September 7, 2005" and it should read "November 18, 2005." A motion to approve the minutes of the September 7, 2005 meeting with the correction to Item #1 was made by Dr. Angela Brennan and seconded by Roger Wells. Motion carried. YES: Dokken, List, Brennan, Berens, Fattig, Mulligan-Witt, Schroeder, Schaefer, Wells NO: None ABSENT: Brush, Sitorius, Welch

(Note: Bill Brush arrived after these first two motions.)

Members and guests introduced themselves.

2. Next Meeting is Friday, June 16, 2006, 1:30 p.m.; Student Loan Interviews

Dr. Frey stated that the next Commission meeting is Friday, June 16, 2006, at 1:30 p.m. in Lincoln. The student loan interviews will be held in the morning prior to the full Commission meeting. Marlene Janssen called for volunteers from the Commission to conduct the interviews and stated that Dr. Sitorius is planning to interview. Dr. Don Frey, Dr. Steven Dokken, Roger Wells, Dr. Rebecca Schroeder, Dr. Michele Mulligan-Witt, Marty Fattig, and Pam List volunteered to do student loan interviews the morning of June 16, 2006.

Dr. Frey requested discussion on offering physician assistant (P.A.) student loans this year. Marlene Janssen stated that the Commission has not accepted P.A. student loan applications for several years because the last two P.A. student loan recipients that graduated in 1997-1998 could not find practice opportunities in shortage areas. Dr. Mulligan-Witt said there is a need for more rural practitioners. Roger Wells stated in his area they are starting to look for one or two P.A.s to begin practice once the new clinic is built.

As a Commission, Roger Wells, stated that there is some concern for not accepting applications from P.A. students. The demand is going to get worse before it gets better. Mr. Wells suggested that the Commission allow P.A. students to apply for the student loan program but only fund so many. Pam List clarified that the Commission is not taking P.A. student loans away permanently but only trying to decide whether or not to offer such loans this year. Dr. Frey stated that by not accepting P.A. student loan applications the word might get out that practice opportunities are not available and as a Commission we do not want this to happen. Dr. Schroeder suggested that we allow P.A. students to apply but during the interview we talk to them about practice opportunities in shortage areas so they understand what they are getting into. Marty Fattig agreed that informing the P.A. student up front is a good idea. Dennis Berens pointed out that Wal-Mart and other chains are starting to open up health clinics in their stores. Mid-level practitioners will staff these in-store clinics. This type of practice will impact the number of practitioners available for rural areas.

Dr. Frey summed up the Commission's collective thought and that is to accept P.A. student loan applications this year. Marlene Janssen stated that no motion is necessary to accept P.A. student loans, she just needs to know for administrative purposes and requesting labels from colleges.

3. UNMC Dental College Update

Dr. David Brown reported that, thanks to the Rural Health Advisory Commission, faculty dentists at the Panhandle Community Health Center in Gering, Nebraska will be eligible for loan repayment. The Dental College is on track with one of the faculty dentists to begin practice July 1, 2006 in Gering and student rotations will begin a few weeks later. The second faculty dentist will begin around August 1, 2006.

The dental college is also working with the Medicaid Division to get enhanced Medicaid reimbursement for faculty dentists working at community health centers (CHC). Dr. Brown stated that he has been contacted by the Columbus Community Health Center to do a dental rotation in Columbus similar to the Gering rotation.

Dr. Brown reported that the College of Dentistry is continuing "Dental Day" which began in 2001. The purpose of Dental Day is to provide dental care to underserved children. This is done on specific days at multiple sites. Last year over \$180,000 of free dental care was provided. This year six communities in the Panhandle area will participate in Dental Day. Sites will be using telehealth video linked to the dental college for consultations and second opinions.

4. State Incentive Programs Update

York County Shortage Area Request

Marlene Janssen reported that York Medical Clinic submitted a request to have York County designated as a family practice shortage area. Ms. Janssen stated she verified the physician full-time equivalency in York County and the county does meet the guidelines for designation. Pam List moved to approve York County as a state-designated family practice shortage area. Dr. Rebecca Schroeder seconded the motion. Motion carried. YES: Dokken, List, Brennan, Berens, Brush, Fattig, Mulligan-Witt, Schroeder, Schaefer, Wells NO: None ABSENT: Sitorius, Welch

Colfax County (Schuyler) Update

Marlene Janssen reported that when Colfax County requested a designation as a general dentistry shortage area, she forgot to check the 50-mile radius map. Schuyler is within the 50-mile radius of Lincoln and Omaha and will not qualify as a state-designated, general dentistry shortage area but the rest of Colfax County does qualify. A letter was sent to the dentist in Schuyler who had initiated the request.

Dr. Frey stated that with the immigrant population the need in Schuyler is great. Dr. Brennan added that the radius is as the “crow flies” not drive time and mileage. Drive time to Schuyler from Lincoln or Omaha is more than an hour; it’s closer to an hour and a half. Marlene Janssen stated that the Commission could change the guidelines. Tom Rauner reported that there is GIS (Geographic Information System) software available to calculate “drive time” instead of a radius. The Commission could ask one of the subcommittees to review this issue and report back. Dr. Dokken moved to have the Program Committee review the shortage area guidelines relative to “drive time” versus “mileage radius.” Roger Wells seconded the motion. Motion Carried. YES: Dokken, List, Brennan, Berens, Brush, Fattig, Mulligan-Witt, Schroeder, Schaefer, Wells NO: None ABSENT: Sitorius, Welch

Budget

Marlene Janssen reviewed the Program 175 budget (incentive programs). If the Commission approves the loan repayment applications submitted, there will be \$37,121 in general funds that can be carried over to FY2006-07. In addition, there is \$135,933 in unobligated general funds for FY2006-07 that can be used for student loans and/or loan repayment. Cash spending authority is available for the local match if these general funds are used for loan repayment. Marlene Janssen reported that the cash balance of the Rural Health Professional Incentive Fund cash account is \$2.1M, of which \$1.3M is student loan default funds and collections from the UNMC Rural Health Opportunities Program student loan paybacks and \$0.8M is loan repayment local match plus some default payments.

Accounts Receivable

Marlene Janssen reported on collections (contract buyouts) under the Nebraska Student Loan Program and the Nebraska Loan Repayment Program.

Student Loans – 2005 graduates

Mary Ebeling, DDS needs to pass licensing exam before beginning practice in Lyons, NE

Student Loans – Contract Buyouts/Defaults

Theresa Buck – current

Nancy Miller-Davis, MD – killed in car accident; the Office of Rural Health will begin process to write off of principal balance in October 2006

David Kershner, P.A. – legal action in process

Les Veskrna, MD – current

Loan Repayment – Defaults

Kristal Dowse, RP – current

Denise Freidel, MD – current
Michael Karel, PA – current
Reba Glidewell, PhD – litigation in process
Krista Krebs, PhD – began working at HRC, settlement agreement being signed
J. Lynn Williams, MD – still owes \$750

5. Policy Committee Report

(Note: Dr. Joann Schaefer had to leave. Dr. Jacquelyn Miller was appointed as her designee.)

Roger Wells reported that at the last Commission meeting the Policy Committee was assigned to review (1) the nutrition bill (State LB 285), (2) the master's level mental health bill (Federal S. 784), and (3) the proposed Medicaid Reform Recommendations (State). Mr. Wells began with the Medicaid Reform Recommendations.

The Policy Committee discussed the two choices under the Medicaid Reform Recommendations which include using Medicaid funds to pay for private insurance for Medicaid recipients or finding a different way to integrate and use Medicaid funds for recipients. Either way, it is estimated that 10 percent of the Medicaid recipients use approximately 70 percent of the Medicaid funds. Mr. Wells stated that Medicaid recipients should not be penalized for going back to work by losing Medicaid benefits. These recipients need assistance in assimilating back into the workforce through a team approach. Telecommunication could be used by providers to work with recipients in more remote areas where services may not be easily accessible.

Roger Wells reported that the Policy Committee reviewed the nutrition bill (LB 285). The intent of LB 285 is to permit only nutritious food and beverages to be sold in schools in Nebraska beginning before and after school. While this proposed legislation may seem far-fetched, it follows the line of reasoning that the tobacco industry has been subjected to and that is to encourage healthy behaviors and tax unhealthy habits. Dr. Mulligan-Witt suggested that the fast food industry is indoctrinating our children through advertising. Dr. Dokken mentioned that television advertising is mostly food. Fast food is a huge cultural issue. Dr. Dokken stated that there are 15 states that have nutrition laws. Dr. Miller added that soft drink machines and snack machines in schools do not offer health snacks. We have pop and chips but no milk or fruit as choices. Dr. Frey said that the comprehensive look at nutrition and how public policy can be used is very important. This is a global health care issue.

Roger Wells suggested that the Policy Committee continue monitoring this type of legislation since it affects the uninsured rural population. To support providing healthy food choices in our school systems is a public policy statement not just a rural health issue.

Roger Wells reported that mental health is difficult to get under a better umbrella. Mental Health is a diverse profession. For example mental health does not have a national board exam like physicians. Different mental health professionals are licensed and certified according to different criteria. There is too much fragmentation nationally. Nebraska can move forward on a strategy to define mental health professionals, demonstrate what works, especially in rural Nebraska, and then lobby for reimbursement and funding of the model. Mr. Wells suggested starting with grant-funded projects instead of a global approach to change Medicaid and Medicare reimbursement.

Dr. Schroeder agreed and commented that there is so much diversity between master's level mental health therapists because of the training programs. It is even more difficult for patients. Roger Wells added that the pilot program would identify the type and level instruction the schools would have to produce to make their students employable and eligible for reimbursement. Mr. Wells commented that

these issues are more global but the Commission needs to look at what issues are impacting rural healthcare.

Pam List stated that as a psychiatric advanced registered nurse practitioner she cannot get reimbursed through Medicaid because she is in a family practice clinic. She is trying to meet the mental health care needs of the rural community where there is a 3-month wait for patients to get an appointment with the psychiatrist who is almost an hour away. Dr. Frey stated that Medicaid is trying to save money because they know that you, the rural psychiatric nurse practitioner, will continue to provide the care your patients need.

Commission members discussed at length the intricacies of Medicaid reform and how to impact mental health care. Bill Brush read excerpts from an article he handed out concerning the relationship between advanced care management and cost containment in health services. Basically 10 percent of the insured population accounts for approximately 70 percent of health care costs and of that 10 percent the majority generally have one or more serious medical problems accompanied by behavioral health issues (usually depression).

Dr. Brennan moved to have the Policy Committee continue to focus on integrated service delivery and training systems as the top priority. Pam List seconded the motion. Motion Carried. YES: Dokken, List, Brennan, Berens, Brush, Fattig, Miller, Mulligan-Witt, Schroeder, Wells NO: None ABSENT: Sitorius, Welch

6. Legislative Update

Dr. Frey reported that the Commission discussed the school nutrition bill (LB 285) under the Policy Committee's report. LB 953, to increase the maximum amount of loan repayment, is on general file. Dr. Frey commented that Roger Wells did an excellent job testifying before the legislative committee.

Marlene Janssen reported that LB 1219 to fund the public health departments is still in committee and LB 1220, to fund mental health rural training sites, is still in committee. Ms. Janssen reported that an amendment has been added to LB 1220 to allow any accredited training facility the ability to receive state funding for mental health rural training sites.

7. Closed Session

Dr. Schroeder moved to go to closed session to discuss loan repayment applicants and student loan recipient updates. Pam List seconded. Motion Carried. YES: Dokken, List, Brennan, Berens, Brush, Fattig, Miller, Mulligan-Witt, Schroeder, Wells NO: None ABSENT: Sitorius, Welch

8. Open Session

Dr. Brennan moved to go to open session. Dr. Mulligan-Witt seconded. Motion Carried. YES: Dokken, List, Brennan, Berens, Brush, Fattig, Miller, Mulligan-Witt, Schroeder, Wells NO: None ABSENT: Sitorius, Welch

Pam List moved to have the Program Committee look at general internal medicine shortage area guidelines. Dr. Brennan seconded the motion. Motion Carried. YES: Dokken, List, Brennan, Berens, Brush, Fattig, Miller, Mulligan-Witt, Schroeder, Wells NO: None ABSENT: Sitorius, Welch

Marty Fattig moved to accept the following loan repayment applications with their loan repayment 3-year practice obligations beginning as stated below:

Derek Nelson, P.A. (FP)	Antelope County	December 1, 2005
Lisa Stenvers, P.A. (IMS)	Dodge County	March 1, 2006
Quinn Kneifl, P.A. (FP)	Thurston County	February 1, 2006
Julie Wilhelm, P.A. (FP)	Antelope County	February 1, 2006
Michele Durr, M.D. (FP)	Nuckolls County	February 1, 2006
Kathryn Schulte, D.D.S.	Holt County	March 1, 2006

and move the following loan repayment applications to the waiting list since their practice dates begin during the next fiscal year:

Jared Kramer, M.D. (FP)	Howard County	August 1, 2006
Nathan Luehrs, D.D.S.	Scotts Bluff County (Panhandle Health Center)	July 1, 2006.

Roger Wells seconded the motion. Motion Carried. YES: Dokken, List, Brennan, Berens, Brush, Fattig, Miller, Mulligan-Witt, Schroeder, Wells NO: None ABSENT: Sitorius, Welch

9. Other Business

Update on Loan Repayment Taxation

Marlene Janssen reported that the Commission members received copies of correspondence from the Internal Revenue Service to Representative Tom Osborne concerning the taxation of state-funded loan repayment programs. Also included in the Commission members' packets was email correspondence between Kim Zimmerman, aide to Senator Ben Nelson, and Marlene Janssen.

Ms. Janssen reported that this morning she has been contacted by the Congressional Research Services Office, which is a staff agency to Congress that does confidential research for members of Congress. Ms. Janssen stated that she related the issues concerning taxation of the Nebraska Loan Repayment Program and relayed the information Dr. Mulligan-Witt mentioned to Senator Jensen about State dollars used to address State shortages ending up in Washington, D.C. because of taxes. An email questionnaire is going out to all 50 State Offices of Rural Health to gather information on state-funded loan repayment programs. Basically, are other states reporting loan repayment to the IRS? This information will then be forwarded to the Congressional Research Services Office. The staff person at the Congressional Research Services Office asked if Nebraska taxes loan repayment. Ms. Janssen stated this may be something the Commission can do at the state level.

10. Adjournment

Dr. Frey asked if there was any other business to discuss. Hearing none, Dr. Frey asked for a motion to adjourn stating the motion to adjourn does not need a second.

Roger Wells moved to adjourn at 3:48 p.m. Motion Carried. YES: Dokken, List, Brennan, Berens, Brush, Fattig, Miller, Mulligan-Witt, Schroeder, Wells NO: None ABSENT: Sitorius, Welch